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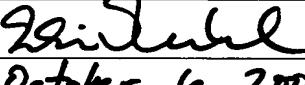
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		Application Number	09/282,239
		Filing Date	March 31, 1999
		First Named Inventor	Steven A. Goldman
		Group Art Unit	1652
		Examiner Name	Richard G. Hutson
Total Number of Pages in This Submission	3	Attorney Docket Number	19603/4230 (CRF D-2238-04)

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply (\$_____) <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request (\$_____) <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement (\$_____) <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Notice to File Missing Parts/ Incomplete Application (\$_____) <input type="checkbox"/> A copy of the Notice to File Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers <i>(for an Application)</i> <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Declaration and Power of Attorney <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition (\$_____) <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer (\$_____) <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (\$250.00) (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Application Data Sheet <input type="checkbox"/> Request for Corrected Filing Receipt with Enclosures <input checked="" type="checkbox"/> A self-addressed, prepaid postcard for acknowledging receipt <input type="checkbox"/> Check in the amount of \$_____ <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Response to Notification of Non-Compliant Appeal Brief
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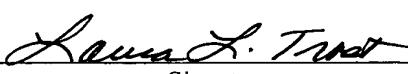
Firm or Individual name	Edwin V. Merkel Nixon Peabody LLP Clinton Square, P.O. Box 31051 Rochester, New York 14603-1051 Telephone: (585) 263-1128 Fax: (585) 263-1600	
Signature	 Registration No. 40,087	
Date	October 6, 2006	

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

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Signature
Laura L. Trost
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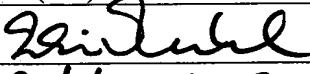
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Remarks

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Firm or Individual name	Edwin V. Merkel Nixon Peabody LLP Clinton Square, P.O. Box 31051 Rochester, New York 14603-1051 Telephone: (585) 263-1128 Fax: (585) 263-1600	
Signature	 Registration No. 40,087	
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Date



Signature

Laura L. Trost

Typed or printed name



PATENT
Docket No.: 19603/4230 (CRF D-2238-04)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants	:	Goldman et al.)	Examiner:
)	R. Hutson
Serial No.	:	09/282,239)	Art Unit:
)	1652
Cnfrm. No.	:	8339)	
)	
Filed	:	March 31, 1999)	
)	
For	:	A METHOD FOR ISOLATING AND PURIFYING OLIGODENDROCYTES AND OLIGODENDROCYTE PROGENITOR CELLS)	
)	

RESPONSE TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF

Mail Stop Appeal Brief - Patents

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notification of Non-Compliant Appeal Brief (37 C.F.R. § 41.37), dated September 6, 2006, applicants hereby submit a revised summary of the claimed subject matter as required by 37 C.F.R. § 41.37(c)(1)(v), as follows:

V. SUMMARY OF CLAIMED SUBJECT MATTER

Claim 25 is directed to an enriched or purified preparation of human mitotic oligodendrocyte-specified progenitor cells, where the mitotic oligodendrocyte-specified progenitor cells are from a post-natal human and a human cyclic nucleotide phosphodiesterase 2 promoter is transcriptionally active in all cells of the enriched or purified preparation (U.S. Patent Application Serial No. 09/282,239 ("the '239 Application") p. 14, line 24 to p. 15, line 2; p. 22, lines 6-17; and originally-filed claim 17).

Claim 26 is directed to an enriched or purified preparation of human mitotic oligodendrocyte progenitor cells, where the mitotic oligodendrocyte

progenitor cells are from an adult human and a human cyclic nucleotide phosphodiesterase 2 promoter is transcriptionally active in all cells of the enriched or purified preparation (the '239 Application p. 14, line 24 to p. 15, line 2 and p. 22, lines 6-17).

Claim 29 is directed to an enriched or purified preparation of human mitotic oligodendrocyte-specified progenitor cells, where a human cyclic nucleotide phosphodiesterase 2 promoter is transcriptionally active in all cells of the enriched or purified preparation (the '239 Application p. 14, line 24 to p. 15, line 2 and p. 22, lines 6-17).

Respectfully submitted,

Date: October 6, 2006

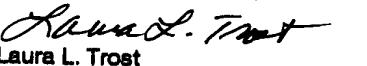


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Registration No. 30,727

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